4016

BILL NO. Z-78-04-05

ZONING MAP ORDINANCE NO. Z-Last

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. K18.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. K18, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the North Half of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana, in particular described as follows, to wit:

Commencing at the Northwest corner of Lot 16, in the plat as recorded in Plat Book 20, page 18, of Winfree Manor Addition to the City of Fort Wayne; thence running Northward, along the East boundary line of the plat of Poinsett Park Addition, as in Plat Book 10, page 72, recorded, a distance of 1114.5 feet to a point; thence South 89 degrees 03' East a distance of 119.7 feet to a point; thence North 32 degrees 12' East a distance of 100.0 feet to a point on the Southwesterly right-of-way line of U.S. Highway No. 30, known as Goshen Road; thence South 57 degrees 48' East, along the aforesaid line, a distance of 609.0 feet, to the North corner of Lot 22 in the plat of Lincoln Park Addition, as in Plat Book 13, page 63, recorded; thence South along the West boundary line of the plat aforesaid, a distance of 294.9 feet to a point situated 120.0 feet North of the Southwest corner of Lot 21 of the plat aforesaid; thence South 89 degrees 51' East, and parallel to the South line of Lots numbered 21, 20 and 19, of the aforesaid plat, a distance of 106.8 feet to the East line of the aforesaid Lot 19; thence South along the line aforesaid a distance of 120.0 feet to the Southeast corner of the lot aforesaid; thence North 89 degrees 51' West, along the South line of the said Lots 19, 20 and 21, a distance of 106.8 feet to the West line of the aforenamed plat; thence South along the aforesaid line a distance of 50.0 feet, to the Northwest corner of Lot 18 of the aforenamed plat; thence South 89 degrees 51' East, along the North line of Lots Numbered 18, 17 and 16, of the plat aforementioned, a distance of 106.8 feet to the Northeast corner of Lot 16 aforesaid, thence South, along the East line of said Lot 16, and of Lot 15, of the plat aforementioned, a distance of 209.5 feet, to the Southeast corner of said Lot 15; thence South along the line aforesaid, a distance of 50.0 feet, to the Northeast corner of Lot 132, in the plat as recorded of Lincoln Park Addition, Amended, in Plat Book 15, page 78; thence South on the East line of the said Lot 132, and of Lot 124, of the plat aforementioned, a distance of 300.0 feet, to the Southeast corner of the

said Lot 124; thence North 89 degrees 51' West, along the South line of the said Lots 124 and 123, and along the South line of Lots numbered consecutively and in reverse order 26 to 17, in the plat of the said Winfree Manor Addition, a distance of 616.8 feet, to the Southwest corner of the said Lot 17; thence North along the West line of the said Lot 17 a distance of 150.0 feet, to the Northwest corner thereof; thence North 89 degrees 51' West, a distance of 50.0 feet, to the Northeast corner of Lot 16 of the plat aforementioned; thence South along the East line of the aforesaid Lot, a distance of 51.5 feet, to the Southeast corner thereof; thence North 89 degrees 51' West, along the South line of said Lot, a distance of 129.5 feet to the Southwest corner of the said Lot 16, thence North on the West line thereof, a distance of 51.5 feet to the place of beginning, at the Northwest corner of the said lot; containing 20.21 acres of land, more or less, all record references being to those in the Office of the Recorder of Allen County, Indiana,

excepting therefrom however, Lots 16-26, inclusive, in Winfree Manor Addition,and Lots 123 and 124, Lincoln Park Addition, as Amended (which is the undeveloped portion of the Shopping Center on the south portion thereof).

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY,

_____
Attorney

Read the first time in full and on motion by V. Schmidt, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day~~ of _____, 19__, at _____ o'clock ____ M., E.S.T.

DATE: 4-11-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	1	7		1	
BURNS		✓			
HINGA		✓			
HUNTER		✓			
MOSES		✓			
NUCKOLS				✓	
SCHMIDT, D.	✓				
SCHMIDT, V.		✓			
STIER		✓			
TALARICO		✓			

DATE: 6-13-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19__.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19__, at the hour of _____ o'clock ____ M., E.S.T.

_____
CITY CLERK

Approved and signed by me this _____ day of _____, 19__, at the hour of _____ o'clock _____ M., E.S.T.

_____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMEND RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 11, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-04-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby give NO RECOMMENDATION on such proposed ordinance.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1978.

Certified and signed this
24th day of May 1978.

Luben Lazoff

Luben Lazoff
Secretary

Bill No. Z-78-04-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. K18

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do Not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

JOHN NUCKOLS - VICE CHAIRMAN — John Nuckols

WILLIAM T. HINGA — William T. Hinga

DONALD J. SCHMIDT

JAMES S. STIER

DATE 6-13-78 CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

RECEIPT Date March 14 1978 No. 10126

Received From Mentors Inv Sheltered Real Estate Ltd.

Address 4000 S. Dixie Hwy - Suite 203

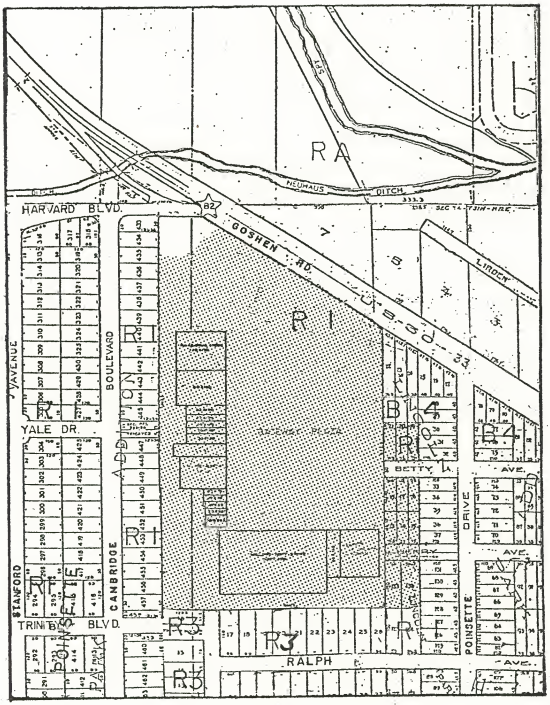
Fifty Dollars Dollars $ 50.00

For Refining Filing Fee

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	00	CASH		
AMT. PAID	50	00	CHECK		
BALANCE DUE	0	00	MONEY ORDER	✓	

By Gary Baxter

GrayLine BUSINESS FORM—PRODUCT OF WILSON JONES



REZONE FROM B.2 TO B3B

MAP NO. K18

Z-78-04-05

BY M.F.C. 3-15-76

N

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. _____

Date Filed _____

Intended Use _____

~~I/We~~ Investors Tax Sheltered Real Estate Ltd., a Florida limited partnership,
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/~~an~~ B-2 District to a/~~an~~ B3B District the property described as follows:

See attached sheet

Applicant specifically wishes to exclude from this rezoning the rear, and undeveloped portion of the premises above-described.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Investors Tax Sheltered	2000 South Dixie Highway	
Real Estate Ltd.	Suite 203	
	Miami, Florida 33133	Steven Hayman (agent for the owner)
(Name)	(Address & Zip Code)	(Signature)

(If additional space is needed, use reverse side)

Steven Hayman,
Agent for the Owner

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

Stu Cavell	2120 Goshen Road	484 8653
(Name)	(Address & Zip code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

K18

Legal Description of property to be rezoning

Owners of Property

(Name)	(Address & Zip Code)	(Signature)

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excepting therefrom however, Lots 16-26, inclusive, in Winfree Manor Addition, and Lots 123 and 124, Lincoln Park Addition, as Amended (which is the undeveloped portion of the Shopping Center on the south portion thereof).

the UN-COMMONS

a different kind of market place

June 6, 1978

We the undersigned Merchants of the UN-COMMON Shopping Center located on Goshen Road in Fort Wayne, Indiana support the rezoning of the Shopping Center so as to allow the establishment of a business such as an Archery Range. (Little John's Archery, Inc.)

TH

We feel that this type of business can only generate new strength for the merchants and provide wholesome family entertainment for our entire community.

Shirley Parker - Indiana Bank

Dillard Stephens — Western Southern Life

Gilbert Belcher — Carpet Discount House

Robert L. Hyman — Elden Draperies

Michael P. Grant — Kelso, Inc. - Ft. Wayne Teachers Store

John M. Settle — John M. Settle Inc.

Bernard Bond — Shoe Stock

R. Dean Hilling — Fish of Stitch

Robert P. Grant — Gateway Cinema

4016

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-04-05

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A tract of land bounded by Goshen Road on the north, east of Cambridge Boulevard, west of Poinsette Drive and north of Ralph Avenue, the property comonly known as the Uncommons.

EFFECT OF PASSAGE Property is now zoned B2 - Regional and Neighborhood Shopping Centers. Property will become B3B - General Business.

EFFECT OF NON-PASSAGE Property will remain B2 - Regional and Neighborhood Shopping Centers.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)_____

ASSIGNED TO COMMITTEE (J.N.)_____

Reg